

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

LEWIS E. KNAPPER and )  
LINDA KNAPPER, )  
Plaintiffs, )  
v. ) CIVIL ACTION NO. 9:08-CV-0084  
SAFETY KLEEN SYSTEMS, INC., )  
et al. )  
Defendants. )

**DEFENDANT UNITED STATES STEEL CORPORATION  
USX CORPORATION, ARISTECH CHEMICAL CORPORATION,  
SUNOCO, INC. (R&M) AND RADIATOR SPECIALTY COMPANY'S  
JOINT DESIGNATION OF EXPERT WITNESSES**

**TO THE HONORABLE JUDGE HEARTFIELD:**

Defendants United States Steel Corporation, USX Corporation, Aristech Chemical Corporation, Sunoco, Inc. (R&M), and Radiator Specialty Company (collectively "US Steel/Radiator" or "Defendants"), pursuant to the Federal Rules of Civil Procedure, file their Joint Designation of Expert Witnesses and respectfully show the court as follows:

**I.  
IDENTITY OF RETAINED EXPERTS**

The following persons may be used at trial to present evidence under Federal Rules of Evidence 702, 703, and 705:

1. John Spencer, CIH CSP  
President, ENVIRONMENTAL PROFILES, INC.  
813 Frederick Road  
Baltimore, Maryland 21228  
Telephone: 410-744-0700



The information required by Federal Rule of Civil Procedure 26(a)(2)(B) is attached hereto. Mr. Spencer's report (which includes his fee information), his CV and his list of testimony are attached as Exhibits A-1, A-2, and A-3, respectively. Three (3) CDs containing supporting documents and photos for Mr. Spencer's report are attached in an envelope labeled as Exhibit A-4. Three (3) DVDs pertaining to Mr. Spencer's report are contained in an envelope attached and labeled as Exhibit A-5. Also, three (3) CDs containing "EPI Folders" pertaining to Mr. Spencer's report are attached in an envelope labeled as Exhibit A-6.

2. David Pyatt, Ph.D.  
SUMMIT TOXICOLOGY, LLP  
1944 Cedaridge Circle  
Superior, Colorado 80027  
Telephone: 720-890-3798

The information required by Federal Rule of Civil Procedure 26(a)(2)(B) is attached hereto. Dr. Pyatt's report (which includes his fee information), CV, and list of testimony are attached as Exhibits B-1, B-2 and B-3, respectively.

3. David H. Garabrant, M.D., M.P.H.  
Professor of Occupational Medicine and Epidemiology  
THE UNIVERSITY OF MICHIGAN SCHOOL OF PUBLIC HEALTH  
M6529 SPH II  
109 Observatory St.  
Ann Arbor, Michigan 48109-2029  
Telephone: 734-936-0753

The information required by Federal Rule of Civil Procedure 26(a)(2)(B) is attachd hereto. Dr. Garabrant's report, CV, fee statement and list of testimony are attached as Exhibits C-1, C-2, C-3 and C-4, respectively.

4. Peter J. Drivas, Ph.D.  
2405 140th Avenue NE, Suite A101  
Bellevue, Washington 98005-1877  
Telephone: 425-562-4200

The information required by Federal Rule of Civil Procedure 26(a)(2)(B) is attached hereto. Dr. Drivas's report, which includes his CV, fee information and list of testimony, is attached as Exhibit D.

5. Richard S. Stein, M.D.  
Vanderbilt University Medical Center  
2665 The Vanderbilt Clinic  
1301 22nd Avenue South  
Nashville, Tennessee 37232-5505  
Telephone: 615-936-1803

The information required by Federal Rule of Civil Procedure 26(a)(2)(B) is attached hereto. Dr. Stein's report, CV, fee statement and list of testimony are attached as Exhibits E-1, E-2, E-3 and E-4, respectively.

**II.**  
**RELIANCE ON PLAINTIFF LEWIS KNAPPER'S**  
**DOCTORS AND MEDICAL CARE PROVIDERS**

US Steel/Radiator intends to rely on all the experts, medical professionals and/or treating physicians identified by Plaintiffs in their Expert Disclosure, and US Steel/Radiator will call these persons as experts should the need arise. US Steel/Radiator further reserves the right to designate Mr. Knapper's treating doctors and medical care providers listed in Plaintiffs' Initial Disclosures as expert witnesses. US Steel/Radiator does not by this designation indicate its agreement that each person is qualified as an expert or that US Steel/Radiator agrees with such testimony.

The "treating doctors" and "medical care providers" identified in Plaintiffs' Initial Disclosures may be used at trial to present evidence under Federal Rules of Evidence 702, 703, and 705 include, but are not limited to the following:

Dr. Thomas Chauncey  
Dr. Paul O'Donnell  
Dr. Effie Petersdorf  
Dr. John Andrew Hansen  
SEATTLE CANCER CARE ALLIANCE  
825 Eastlake Avenue E  
P.O. Box 19023  
Seattle, Washington 98109-1023  
Telephone: 206-288-2113

Dr. Pinnisi  
RIVERSIDE HOSPITAL  
Riverside, New Jersey

MEMORIAL SLOAN-KETTERING INPATIENT HOSPITAL AND MAIN CAMPUS  
1275 York Avenue  
New York, New York 10065  
Telephone: 212-639-2000

Dr. Paul Quentzel  
NORTH RIDGE MEDICAL CENTER  
5601 North Dixie Highway  
Ft. Lauderdale, Florida 33334  
Telephone: 954-491-3301

UNIVERSITY HEART INSTITUTE CARDIOVASCULAR GROUP  
2217 N. University Drive  
Pembroke Pines, Florida 33024  
Telephone: 954-963-6500

Dr. Lance J. Lehmann  
LANCE LEHMANN, PA  
PAIN CONSULTANTS OF FLORIDA, PA  
3990 Sheridan Street, Suite 103  
Hollywood, Florida 33021  
Telephone: 954-986-0390

Dr. Barry Schiff  
SILVER LAKES FAMILY MEDICINE

17779 S.W. 2nd Street  
Pembroke Pines, Florida 33029

Dr. Harold S. Reitman  
ORTHOPAEDIC ASSOCIATES  
350 N. Pine Island Road, 2nd Floor  
Plantation, Florida 33324  
Telephone: 954-476-8800

Dr. Quang Le  
DERMATOLOGY CONSULTANTS  
603 N. Flamingo Road, Suite 350  
Pembroke Pines, Florida 33028  
Telephone: 954-435-5100

Dr. Frederick N. Wittlin  
1150 N 35 Avenue, Suite 330  
Hollywood, Florida 33021  
Telephone: 954-364-4370

SOUTH FLORIDA ONCOLOGY - HEMATOLOGY  
1150 N 35 Avenue, Suite 330  
Hollywood, Florida 33021  
Telephone: 954-364-4370

EYE SURGERY CONSULTANTS, INC.  
2740 Hollywood Blvd.  
Hollywood, Florida 33020  
Telephone: 954-925-2740

DR. HARRY PEPE & ASSOCIATES, INC.  
4510 Sheridan Street  
Hollywood, Florida 33021  
Telephone: 954-893-8900

Dr. Paul S. Jellinger  
CENTER FOR DIABETES AND ENDOCRINE CARE  
1150 N. 25th Avenue, Suite 500  
Hollywood, Florida 33021  
Telephone: 954-963-7100

Michael Irving Margolis, D.O.  
DR. HARRY PEPE & ASSOCIATES, INC.  
4510 Sheridan Street  
Hollywood, Florida 33021

Telephone: 954-893-8900

Dr. Lyle C. Feinstein  
MEMORIAL CANCER INSTITUTE  
MEMORIAL HOSPITAL WEST  
801 N. Flamingo Rd., Ste 11  
Pembroke Pines, Florida 33028  
Telephone: 954-430-6868

Dr. Charles Gluck  
GASTROENTEROLOGY CONSULTANTS, PA  
4700 Sheridan Street, Suite M  
Hollywood, Florida 33021  
Telephone: 954-961-8400

MEMORIAL HOSPITAL WEST  
801 N. Flamingo Rd., Ste 11  
Pembroke Pines, Florida 33028  
Telephone: 954-430-6868

MEMORIAL REGIONAL HOSPITAL  
3501 Johnson Street  
Hollywood, Florida 33021  
Telephone: 954-985-5881

H. LEE MOFFITT CANCER CENTER & RESEARCH INSTITUTE  
12902 Magnolia Drive  
Tampa, Florida 33612-9497  
Telephone: 813-745-4673

DIGESTIVE DISEASE CONSULTANTS OF SOUTH FLORIDA  
North Ridge Medical Plaza  
5601 N. Dixie Highway, Suite 306  
Ft. Lauderdale, Florida 33334  
Telephone: 954-491-3301

US Steel/Radiator further designates any and all additional treating physicians, representatives, agents and employees of the above-identified medical care providers.

In addition, US Steel/Radiator may take the oral deposition of Plaintiffs' treating doctors and medical care providers. The information specified in Federal Rule of Civil Procedure 26(a)(2)(B) will be available for the parties to elicit in the deposition.

**III.  
RELIANCE ON PLAINTIFFS' EXPERTS**

US Steel/Radiator further reserves the right to cross examine and/or call as adverse witnesses Plaintiffs' designated experts. US Steel/Radiator does not by this designation indicate its agreement that each person is qualified as an expert or that US Steel/Radiator agrees with such testimony.

Plaintiffs' designated experts may be used at trial to present evidence under Federal Rules of Evidence 702, 703, and 705, and include:

Barry S. Levy, M.D., M.P.H.  
20 North Main Street, Suite 200  
P.O. Box 1232  
Sherborn, Massachusetts 01770  
Telephone: 508-650-1039

Stephen E. Petty, P.E., C.I.H.  
ENGINEERING & ENVIRONMENTAL SERVICES, INC.  
EES GROUP, INC.  
6321 Ireland Place  
Dublin, Ohio 43016  
Telephone: 614-798-4123

Myron A. Mehlman, Ph.D.  
MEDICAL NEUROLOGY & TOXICOLOGY, LLP  
7 Bouvant Drive  
Princeton, New Jersey 08540  
Telephone: 609-683-1493

**IV.  
OTHER DEFENDANTS' EXPERTS**

US Steel/Radiator reserves the right to elicit, by way of cross-examination, opinion testimony from experts designated and called by other parties to the suit. In the event that a present or future party designates an expert but then is dismissed for any reason from the suit or fails to call the designated expert, US Steel/Radiator reserves the right to designate

and/or call any such party or any such experts previously designated by any party. Please refer to designation of co-defendants' experts for a description of their potential testimony.

**V.  
RIGHT TO SUPPLEMENT**

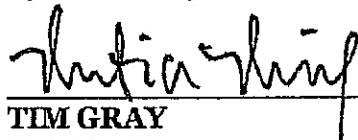
US Steel/Radiator reserves the right to supplement both the expert reports and/or this designation since discovery is continuing and information may become available in the deposition phrase of discovery which is not available at this time. As discovery is ongoing and additional experts may need to be designated, US Steel/Radiator reserves the right to designate any additional expert witness, should it become necessary to do so at the conclusion of fact witness depositions, pursuant to the Federal Rules of Civil Procedure and/or the Federal Rules of Evidence, and/or by order of this Court.

US Steel/Radiator further reserves the right to call any rebuttal expert witness or any impeaching witness whose testimony cannot be anticipated before the time of trial and/or as should become necessary in the trial of this cause. US Steel/Radiator reserves the right to withdraw the designation of any expert and to aver positively that any such previously designated expert will not be called as a witness to trial, and to re-designate same as a consulting expert.

Respectfully submitted,

**DEFENDANTS UNITED STATES STEEL  
CORP., USX CORP., ARISTECH CHEMICAL  
CORP., and SUNOCO, INC. (R&M)**

By and Through Their Attorneys



**TIM GRAY**  
State Bar No. 24030230  
**PHILLIP S. SYKES**  
*Pro Hac Vice*  
**PATRICE PUJOL**  
State Bar No. 00794488

**OF COUNSEL:**

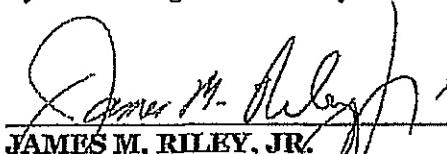
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**DEFENDANT RADIATOR  
SPECIALTY COMPANY**

By and Through Its Attorneys

  
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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served on plaintiffs' lead counsel listed below via hand delivery and served on all counsel for defendants via facsimile (without attachments) in accordance with the FEDERAL RULES OF CIVIL PROCEDURE on this the 9th day of July, 2009.

Messrs. Lance Lubel and J. Robert Black (*Via Hand Delivery*)  
HEARD ROBINS CLOUD & LUBEL, LLP  
3800 Buffalo Speedway, 5th Floor  
Houston, Texas 77098  
*Lead Counsel for Plaintiffs*

  
\_\_\_\_\_  
PATRICE PUJOL